

# NEW-YORK DAILY TRIBUNE, WEDNESDAY, JANUARY 30, 1884.

## MR. CHOATE'S ARGUMENT.

### GENERAL DI CESNOLA A PERSECUTED MAN. MR. FEARNDENT'S COURSE DENOUNCED—APPEAL ING FOR JUSTICE.

The largest crowd present during the proceedings in the Feuardent-di Cesnola case assembled yesterday morning to listen to the closing of Mr. Choate's argument for the defense. Mr. Feuardent never looked up once during the day, so busily engrossed was he in cutting slips from a pamphlet and carefully marking them with a blue pencil. General di Cesnola and Mr. Pruit sat at the left of the court room near the door. A number of the trustees of the Museum were present and a great many ladies. Mr. Bangs did not appear in court during the afternoon.

Before Mr. Choate resumed his argument, Mr. Faelch, the photographer, produced three letters; one containing a request from General di Cesnola for negatives, one asking the witness to print several hundred copies, and the third inquiring as to the truth of Mr. Feuardent's charge that a photograph existed representing the priest without the features.

Mr. Choate began by a reference to the charges contained in the Cook pamphlet, first, in regard to that portion of it which charges that the status No. 30, instead of coming from Golgotha, came really from Salamis, and that the head No. 510 in the Museum was really the head that belonged to it. "On the latter point," said Mr. Choate, "you yourselves are the best judges. The head was placed upon that statue, and no more fitted it than the head of a patriarch would fit upon the body of a babe. In the first case there had crept in the case of four, five or six insignificant objects the statement that they were from Golgotha, when they were from Salamis. On that slender peg they base the tremendous assertion that General di Cesnola had falsified."

As to *The Art Amateur* article Mr. Choate said: The plaintiff does not pretend now that when he wrote the article, in July, 1880, he had one single item of information on which to sustain it. On the stand he had substantially confessed that he was not anybody else, to him then knew of any restoration in the Museum. Mr. Hutchins, who knew everything that happened in Fourteenth-st., says that the only restoration he knew of was the big Hercules, which has been demonstrated to be no restoration at all. All agreed that restoration is trying to restore some missing part, upon the theory of what probably existed in the mind of the artist, while repairing is simply putting together what are known as the fragments of the original. All agree that what was done in Fourteenth-st. was substantially undone in the Museum. Mr. Prime, it seems, had views of his own about restoration. His theory was that if one leg or arm was missing, it ought to be restored. Di Cesnola, on the other hand, said: "No, there must be no restoration. Whatever has been done in that direction must be undone, and these statues must be exhibited to the world as they came into the hands of the discoverers in Cyprus." Mr. Savage has told you General di Cesnola's orders: "Don't put together any pieces unless you are absolutely sure that they are parts of the original." That these orders were perfectly carried out there is no dispute. Mr. Baldwin says the instructions to him were the same.

### WORK DONE IN HASTE.

All agree that the work which was intended to occupy two months was accomplished in two weeks. This was done in order that the formal opening of the Museum should take place when it was possible to secure the presence of the President of the United States. The President had said he could not come in April or May; so the 30th of March was fixed upon. Immense stress is laid on the subject of washing over the fractured parts with milk and a solution of stone. It appears that this Cyprus stone, where there has been a fracture, is subject to disintegration. Mr. Ellis, when asked respecting the Astor services in Trinity Church, which closely resembles this Cyprus stone, said they washed it with milk. He further said: "I do not care how often you brush a limestone piece of sculpture, there will always be dust;" and he says further that it is the universal practice to wash with milk, and that the Milk was known to have been used in the stonemasons' trade long before he was born. And yet they undertake to say that this was an idea of di Cesnola, invented for the purpose of preventing dust.

Some species of the new stone like Gialina, however, would not bear restoration. It broken in half a dozen pieces, exhibits them in that way. They say the sarcophagus was altered. Mr. Osborn testified that he had compared it with the sarcophagus taken from Cyprus, and that there was a remarkable difference in the number of leaves, and that some had been added. That sounded rather startling, but we can easily examine the original and find out whether you were repaid.

The letter and envelope were handed to Mr. Barnum, who, after examining them, handed them to Mr. Baldwin. He examined them carefully and said that the signature in the handwriting of James A. Garfield. He said that he had been familiar with Mr. Garfield's hand-writing for twenty years and was certain of what he said.

"Who was present at that conference?" Mr. William H. Barnes, the Chairman of the Democratic National Committee; Samuel J. Randall, who was a member of Congress; Mr. George S. Boutwell, of Erie, Penn.; Congressman Abram S. Hewitt, Edward Cooper, and a number of other gentlemen who had "Hon." before their names.

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